

COMMITTEE AMENDMENT FORM

DATE: 6/10/08

COMMITTEE CITY UTILITIES PAGE NUM. (S)

ORDINANCE I. D. #08-O- SECTION (S)

RESOLUTION I. D. #08-R-1160 PARA.

AMENDS THE LEGISLATION BY CORRECTING THE FUND, ACCOUNT INFORMATION IN THE CAPTION AND FINAL RESOLVE CLAUSE TO READ AS FOLLOWS:

3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 5414002 (FAC OTHER THAN BUILDINGS) AND PTAE0 FUNDING SOURCE 13102629/102/350291795/5414002;

AMENDMENT DONE BY COUNCIL STAFF 6/10/08

AN AMENDED RESOLUTION BY

08-R-1160

CITY UTILITIES COMMITTEE

AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 1 WITH TOPLE CONSTRUCTION, INC., FOR FC-3007000046, FOR THE CONSTRUCTION OF THE COLLIER ROAD SIDEWALK IMPROVEMENT PROJECT TO INCLUDE THE NORTH SIDE OF COLLIER ROAD AND TO ADD ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY NINE THOUSAND TWO HUNDRED THIRTY TWO DOLLARS (\$239,232.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS: 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 5414002 (FAC OTHER THAN BUILDINGS) AND PTAE0 FUNDING SOURCE 13102629/102/350291795/5414002; 13102110/102/350291105/5414002 AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did enter into FC-3007000046, construction services for the Collier Road Sidewalk Improvement Project, in an amount not to exceed Two Hundred Forty Three Thousand Three Hundred Eighty Four Dollars and Ninety Cents (\$243,384.90); and

WHEREAS, on February 18, 2008, the City Council adopted Resolution 08-R-0208 and the Mayor approved the same on February 25, 2008, which authorized the Agreement for FC-3007000046; and

WHEREAS, the base term of the Original Agreement is for one (1) year with a one (1) year renewal option at the sole discretion of the City; and

WHEREAS, the Original Agreement was executed on April 8, 2008 and expires on April 3, 2009; and

WHEREAS, Tople Constuction, Inc. has performed the contracted services satisfactorily; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend amending the Agreement with Tople Construction Inc for FC-3007000046, to include construction services for the north side of Collier Road and to add additional funds in an amount not to exceed Two Hundred Thirty Nine Thousand Two Hundred Thirty Two Dollars (\$239,232.00); and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor be and is hereby authorized to enter into Amendment Agreement No. 1 with Tople Construction Inc., for FC-3007000046, construction of the Collier Road Sidewalk Improvement Project to include the north side of Collier Road and

to add additional funds in an amount not to exceed Two Hundred Thirty Nine Thousand Two Hundred Thirty Two Dollars (\$239,232.00).

BE IT FURTHER RESOLVED, that the term of the Agreement is for one (1) year one (1) year renewal option at the sole discretion of the City.

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is directed to prepare the appropriate contractual agreement for execution by the Mayor.

BE IT FURTHER RESOLVED, that the Agreement shall not become binding upon the City and City shall incur no obligation or liability hereunder until the same has been signed by the Mayor and attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Tople Construction, Inc.

AND FINALLY BE IT RESOLVED, that all contracted work will be charged to and paid from Fund Department and Account Numbers: 3502 (General Government Capital Fund) 130308 (DPW Transportation Design) 5414002 (Fac Other than Buildings) and 3502 (General Government Capital Fund) 130308 (DPW Transportation Design) and
PTAEO Funding Source: 13102629/102/350291795/5414002;
13102110/102/350291105/5414002

**A RESOLUTION BY
CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 1 WITH TOPLE CONSTRUCTION, INC., FOR FC-3007000046, FOR THE CONSTRUCTION OF THE COLLIER ROAD SIDEWALK IMPROVEMENT PROJECT TO INCLUDE THE NORTH SIDE OF COLLIER ROAD AND TO ADD ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY NINE THOUSAND TWO HUNDRED THIRTY TWO DOLLARS (\$239,232.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS: 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 5414002 (FAC OTHER THAN BUILDINGS) AND 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 5*** AND PTAE0 FUNDING SOURCE 13102110/102/350291105/5414002 AND 13*****/1**/3502*****/5414002; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta ("City") did enter into FC-3007000046, construction services for the Collier Road Sidewalk Improvement Project, in an amount not to exceed Two Hundred Forty Three Thousand Three Hundred Eighty Four Dollars and Ninety Cents (\$243,384.90); and

WHEREAS, on February 18, 2008, the City Council adopted Resolution 08-R-0208 and the Mayor approved the same on February 25, 2008, which authorized the Agreement for FC-3007000046; and

WHEREAS, the base term of the Original Agreement is for one (1) year with a one (1) year renewal option at the sole discretion of the City; and

WHEREAS, the Original Agreement was executed on April 4, 2008 and expires on April 3, 2009; and

WHEREAS, Tople Constuction, Inc. has performed the contracted services satisfactorily; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend amending the Agreement with Tople Construction Inc for FC-3007000046, to include construction services for the north side of Collier Road and to add additional funds in an amount not to exceed Two Hundred Thirty Nine Thousand Two Hundred Thirty Two Dollars (\$239,232.00); and

WHEREAS, the aforesaid agreement contemplates that the City and Railroad will work cooperatively together on said Bridge Replacement Project; and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is authorized to enter into Amendment Agreement No. 1 with Tople Construction, Inc., for FC-3007000045, Construction Services for Collier Road Sidewalk Improvement Project to include the north side of Collier Road and to add additional funds in an amount not to exceed Seven Two Hundred Thirty Nine Thousand Two Hundred Thirty Two Dollars and No Cents (\$239,232.00).

BE IT FURTHER RESOLVED, that the term of the Agreement is for one (1) year one (1) one (1) year renewal option at the sole discretion of the City.

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is directed to prepare an appropriate Agreement for execution by the Mayor.

BE IT FURTHER RESOLVED, that the Agreement will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Tople Construction, Inc.

BE IT FINALLY RESOLVED, that all contracted work will be charged to and paid from Fund Department and Account Numbers: 3502 (General Government Capital Fund) 130308 (DPW Transportation Design) 5414002 (Fac Other than Buildings) and 3502 (General Government Capital Fund) 130308 (DPW Transportation Design) 5***** PTAE0 Funding Source 13102110/102/350291105/5414002 and 13*****/1**/3502/5414002..

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities Committee

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 1 WITH TOPLE CONSTRUCTION, INC., FOR FC-3007000046, FOR THE CONSTRUCTION OF THE COLLIER ROAD SIDEWALK IMPROVEMENT PROJECT TO INCLUDE THE NORTH SIDE OF COLLIER ROAD AND TO ADD ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY NINE THOUSAND TWO HUNDRED THIRTY TWO DOLLARS (\$239,232.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS: 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 5414002 (FAC OTHER THAN BUILDINGS) AND 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 5*** AND PTAE0 FUNDING SOURCE 13102110/102/350291105/5414002 AND 13*****/1**/3502*****/5414002; AND FOR OTHER PURPOSES.**

Council Meeting Date: June 16, 2008

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to amend the construction contract for the Collier Road Sidewalk Improvement Project to include the northside of Collier Road and to add additional funds.

2. Please provide background information regarding this legislation.

Sidewalk design and construction work as part of the City of Atlanta's Quality of Life Sidewalk Program.

3. If Applicable/Known:

(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):N/A

(b) **Source Selection:** N/A

(c) **Bids/Proposals Due:** N/A

(d) **Invitations Issued:** N/A

(e) **Number of Bids:** N/A

(f) **Proposals Received:** N/A

(g) **Bidders/Proponents:** N/A

(h) **Term of Contract:** N/A

4. Fund Account Center: 3502 (General Government Capital Fund) 130308 (DPW Transportation Design) 5414002 (Fac Other than Buildings) and 3502 (General Government Capital Fund) 130308 (DPW Transportation Design) 5***** PTAE0 Funding Source 13102110/102/350291105/5414002 and 13*****/1**/3502*****/5414002.

5. Source of Funds: N/A

6. Fiscal Impact: \$239,232.00

7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Soraya Belgrave

**LEGISLATIVE SUMMARY
AMENDMENT AGREEMENT NO. 1**

FC-3007000046, Annual Contract for Collier Road Sidewalk Improvement

TO: CITY UTILITIES COMMITTEE

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 1 WITH TOPLE CONSTRUCTION, INC., FOR FC-3007000046, FOR THE CONSTRUCTION OF THE COLLIER ROAD SIDEWALK IMPROVEMENT PROJECT TO INCLUDE THE NORTH SIDE OF COLLIER ROAD AND TO ADD ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY NINE THOUSAND TWO HUNDRED THIRTY TWO DOLLARS (\$239,232.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS: 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 5414002 (FAC OTHER THAN BUILDINGS) AND 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 5*** AND PTAE0 FUNDING SOURCE 13102110/102/350291105/5414002 AND 13*****/1**/3502*****/5414002; AND FOR OTHER PURPOSES.**

Committee Meeting Date:	June 10, 2008
Council Meeting Date:	June 16, 2008
Legislation Title:	Amendment No. 1 FC-3007000046, Collier Road Sidewalk Improvement Project
Requesting Dept.:	Public Works
Contract Type:	BID
Advertisement:	11/11/07, 11/18/07 and 11/25/07
Bids/Proposals Due:	12/12/07
Invitations Mailed:	120
Bids/Proposals Received:	15

(1) Tople Construction	*243,384.90
(2) MB Enterprises	249,120.00
(3) GS Construction, Inc.	250,797.00
(4) SD & C, Inc.	259,845.47
(5) GSC Atlanta, Inc.	270,143.00
(6) JaTech & Associates	275,479.20
(7) Ginarc Construction	286,745.78
(8) Kissberg Construction	308,556.25
(9) CMES, Inc.	323,663.98
(10) Rosebud Hauling	**375,177.45
(11) Desmear Systems, Inc.	408,256.00
(12) Shaheed's Construction	428,230.10
(13) Prince Ventures, LLC	446,979.12

(14) Wade Coots	598,762.14
(15) Rockdale Pipeline	1,435,946.52

**Denotes the Lowest Most Responsive and Responsible Bidder.*

***Denotes that the Bidder was non-responsive by DOP.*

Contractor: Tople Construction, Inc.

Estimated Value: \$239,232.00

Scope Summary: This Project is designed to provide construction of sidewalk improvements along Collier Road from Howell Mill Road to Peachtree Road in the City of Atlanta. Improvements include, but are not limited to: demolition and installation of sidewalks, handicap ramps, driveways, curbing, drainage, erosion control, pavement markings and signage.

Background: Original contract was executed on April 4, 2008

Evaluation Team: Representatives from the Department of Public Works and the Office of Contract Compliance

Term of Contract: One (1) year with a one (1) year renewal option

Fund Account Centers: 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 5414002 (FAC OTHER THAN BUILDINGS) AND 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 5***** AND PTAE0 FUNDING SOURCE 13102110/102/350291105/5414002 AND 13*****/1**/3502*****/5414002;

Prepared By: Kimberly Lyons, Contracting Officer

Contact Number: (404) 865-8521



CITY OF ATLANTA

55 TRINITY AVE., SW, ATLANTA, GEORGIA 30303-0324
SUITE 4700, CITY HALL - SOUTH
(404) 330-6240
FAX (404) 658-7552
email: publicworks@atlantaga.gov


DEPARTMENT OF PUBLIC WORKS

Joe Basista
COMMISSIONER

SHIRLEY FRANKLIN
MAYOR

MEMORANDUM

TO: Adam L. Smith, Chief Procurement Officer
Department of Procurement

FROM: Joe Basista, Commissioner
Department of Public Works 

DATE: May 21, 2008

SUBJECT: REQUEST FOR CONTRACT CHANGE, MODIFICATION OR AMENDMENT:
TO THE FOLLOWING CONTRACT:
**Amendment No. 1 to FC-3007000046, Construction Services for Collier Road
Sidewalk Improvement Project;**

Contractor: Tople Construction Inc.

NARRATIVE

Pursuant to Section 2-1292 of the City of Atlanta Procurement Code and Article 33 – Changes and Extra Work of the General Conditions for the Contract, the Department of Public Works (DPW) on behalf of the Quality of Life Bond Program (QOL) request Amendment No. 1 to the following Contract for additional work on north side of Collier Road.

A. DESCRIPTION OF SERVICES

The Department of Public Works (DPW) wishes to amend the original agreement of the above captioned subject.

B. DETERMINATION OF CONTINUED NECESSITY OF SERVICES

This renewal is required to enable QOL to carry out (without interruption of services), its objective to provide infrastructure improvements and specifically to provide functional street improvement through resurfacing.

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To: Adam L. Smith, Chief Procurement Officer
REQUEST FOR CONTRACT CHANGE, MODIFICATION OR AMENDMENT
Amendment No.1 for FC-3007000046
May 21, 2008

C. ADJUSTMENT OF CONTRACT PRICE

DPW will be adding additional funds to the agreement at the time of the renewal. At this time the additional funding is: **TO BE DETERMINED**

D. CONTRACTOR PERFORMANCE

The Contractor has been performing satisfactorily during the period of performance that commenced since the execution of the contract.

If additional information is needed, please feel free to contact Soraya Belgrave at Ext. 6002.

JJB/sb

cc: Dawn Riley, Department of Public Works
Soraya Belgrave, Department of Public Works / File



CITY OF ATLANTA


Shirley Franklin
Mayor

SUITE 1700
55 TRINITY AVENUE, SW
ATLANTA, GA 30303
(404) 330-6010 Fax: (404) 658-7359
Internet Home Page: www.atlantaga.gov

OFFICE OF CONTRACT COMPLIANCE
Hubert Owens
Director
howens@atlantaga.gov

MEMORANDUM

TO: Adam L. Smith, Chief Procurement Officer
Department of Procurement

FROM: Hubert Owens, Director 
Mayor's Office of Contract Compliance

RE: Bid Recommendation for FC 3007000046, Annual Contract for Collier Road
Sidewalk Improvements

DATE: January 14, 2008

The Office of Contract Compliance has reviewed the three bids for minority and female business enterprise participation. All three bidders have been deemed responsive by the Office of Contract Compliance. For your information, they have committed to utilize AABEs and FBEs as indicated below:

Tople Construction & Engineering, Inc.

A&S Paving, Inc.	FBE	1%
Highway Services, Inc.	FBE	5%
Kemi Construction Co., Inc.	AABE	17%
K.C. Trucking, Inc.	AABE	14%
Participation Total		37%

MB Enterprises

JaTech & Associates, Inc.	AABE	14%
Ariel Lawn Care & Landscape	FBE	6%
Urban Infrastructure	AABE	14%
Participation Total		34%

GS Construction

K.C. Trucking, Inc.	AABE	28%
TEM Construction	FBE	6%
Participation Total		34%

If you have questions, please contact me at (404) 330-6010 or Bruce T. Bell at (404) 330-6009.

cc: File
Kimberly Lyons, DOP

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SHIP-TO CODE

B	E	L	O	W					
CENTER									

BMIS USE ONLY

SIGNATURE

DATE

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Soraya Belgrave

Contact Number: (404) 330-6002

Originating Department: Department of Public Works

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: May 28, 2008

Anticipated Committee Meeting Date(s): June 10, 2008

Anticipated Full Council Date: June 16, 2008

Legislative Counsel's Signature: Saul Schultz

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: [Signature]

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 1 WITH TOPLE CONSTRUCTION, INC., FOR FC-3007000046, FOR THE CONSTRUCTION OF THE COLLIER ROAD SIDEWALK IMPROVEMENT PROJECT TO INCLUDE THE NORTH SIDE OF COLLIER ROAD AND TO ADD ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THIRTY NINE THOUSAND TWO HUNDRED THIRTY TWO DOLLARS (\$239,232.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND DEPARTMENT AND ACCOUNT NUMBERS: 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 5414002 (FAC OTHER THAN BUILDINGS) AND 3502 (GENERAL GOVERNMENT CAPITAL FUND) 130308 (DPW TRANSPORTATION DESIGN) 5***** AND PTAEO FUNDING SOURCE 13102110/102/350291105/5414002 AND 13*****/1**/3502*****/5414002; AND FOR OTHER PURPOSES.

Mayor's Staff Only

Received by CPO: _____
(date)

Received by LC from CPO: _____
(date)

Received by Mayor's Office: 5-29-08
(date)

Reviewed by: [Signature]
(date)

Submitted to Council: _____